

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 7767**

**BILL NUMBER:** SB 477

**NOTE PREPARED:** Jan 8, 2007

**BILL AMENDED:**

**SUBJECT:** Motor Scooter and Motorized Bicycle Certificate.

**FIRST AUTHOR:** Sen. Paul

**BILL STATUS:** As Introduced

**FIRST SPONSOR:**

**FUNDS AFFECTED:**          X          **GENERAL**  
                                   X   **DEDICATED**  
                                 **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill requires the Bureau of Motor Vehicles (BMV) to develop and issue a certificate for the operation of a motor scooter or motorized bicycle by a person who does not have an operator's license. The bill imposes a \$10 fee for the certificate to be deposited into the Motor Vehicle Highway Account (MVHA). It provides that a person who fails to obtain a certificate commits a Class D infraction.

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:** Requiring a certificate to operate motor scooters and motorized bicycles may increase associated expenditures for the BMV. The BMV does not issue these items currently. The fund affected is the MVHA, which supports the BMV.

*Background Information:* The R. L. Polk Co., compiler and publisher of various motor vehicle data, show there were 2,941 motor scooters in Indiana as of July 1, 2006. The number of motorized bicycles is unknown. In CY 2005, the BMV registered approximately 6.1 million vehicles, along with about 225,000 boat registrations. In addition, the BMV had about 2.1 million title transactions of all types of vehicles in CY 2005, along with approximately 31,000 watercraft title transactions.

**Explanation of State Revenues:** Revenues will depend upon the number of people who do not currently possess an operator's license and who wish to operate a motor scooter or motorized bicycle. If all of the operators of the reported 2,941 motor scooters do not possess an operator's license, the maximum revenue that could be collected

amounts to \$29,410 and would be deposited into the MVHA. The actual number of motor scooter and motorized bicycle operators without a driver's license is unknown.

*Background Information:* The MVHA may be used for road construction, reconstruction, and maintenance for cities, towns, and counties. The MVHA also supports entirely the operation of the Bureau of Motor Vehicles, a significant part of the operation of the Department of Transportation, about 47% of the operation of the State Police, and part of the operation of the state Department of Revenue.

*Penalty Provision:* The bill also provides for a Class D infraction. The additional infractions that may occur is unknown. If additional court cases occur and infraction judgments and court fees are collected, revenue to the state General Fund may increase. The maximum judgment for a Class D infraction is \$25, which is deposited in the state General Fund.

If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the judicial salaries fee (\$15), the public defense administration fee (\$3), the court administration fee (\$2), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** *Penalty Provision:* If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

**State Agencies Affected:** Bureau of Motor Vehicles; State Police; Department of Transportation; State Department of Revenue.

**Local Agencies Affected:** Recipients of Motor Vehicle Highway Account distributions; Trial courts, local law enforcement agencies.

**Fiscal Analyst:** James Sperlik, 317-232-9866.